



Express Mail No. EV475141229US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Zwirnmann et al.

Confirmation No.: 7926

Serial No.: 10/809,768

Art Unit: 3732

Filed: March 24, 2004

Examiner: To be assigned

For: BONE FIXATION IMPLANTS Attorney Docket No: 8932-789-999  
(708716-999766)

**RESPONSE TO NOTICE TO FILE MISSING  
PARTS OF APPLICATION UNDER 37 C.F.R. § 1.53(b)**

Assistant Commissioner for Patents  
Box Missing Parts  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Notice to File Missing Parts of Application ("the Notice") dated June 14, 2004, in connection with the above-identified application, Applicants submit herewith: (1) a Declaration executed by the inventors (4 pages); (2) a Petition for Extension of Time under 37 C.F.R. § 1.136(a) with provision for the required fee (in duplicate); and (3) a copy of The Notice To File Missing Parts.

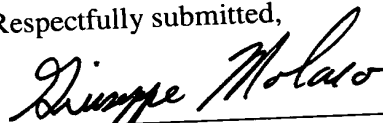
In accordance with the Notice, the surcharge fee required for the Declaration is estimated to be \$130.00. Please charge the required fee to Jones Day Deposit Account No. 50-3013. A duplicate of this sheet is enclosed for accounting purposes.

Respectfully submitted,

Reg. No. 52,039

Date: October 14, 2004

for

  
Brian M. Rothery

35,340

(Reg. No.)

**JONES DAY**  
222 East 41st Street  
New York, New York 10017  
(212) 326-3939

Enclosures



OCT 14 2004

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Page 1 of 2

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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/809,768	03/24/2004	Ralph Fritz Zwirnmann	8932-789

20583  
JONES DAY  
222 EAST 41ST ST  
NEW YORK, NY 10017

CONFIRMATION NO. 7926

## FORMALITIES LETTER



\*OC000000012931676\*

Date Mailed: 06/14/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$130** for a Large Entity

- **\$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

A copy of this notice **MUST** be returned with the reply.

10/19/2004 RHEBRIGHT 00009121 503013 10809768  
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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE